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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.904 OF 2004
WITH
INCOME TAX APPEAL NO.905 OF 2004
WITH
NOTICE OF MOTION NO.2978 OF 2004
WITH
INCOME TAX APPEAL NO.1002 OF 2004

The Director of Income-tax ..Appellant.

V/s.

M/s.Taparia Foundation ..Respondent.

Mr.R.K.Sharma with P.A.Sahadevan for appellant.

Ms.Vasanti B. Patel for respondent.

CORAM : F.I.REBELLO AND
J.P.DEVADHAR, JJ.

DATED : 11TH SEPTEMBER, 2007.

P.C. :-

. This Court in Income Tax Appeal No.682 of 2003 in respect of the same assessee in respect of the same subject matter, by its order dated 25th November, 2004 dismissed the appeal on the ground that it would not give rise to any substantial questions of law. in all these matters, reliance was placed by the Tribunal on the assessment year 1988-89. The revenue is unable to produce before this Court the reasons given by the ITAT while disposing of that appeal in favour of the assessee, The appeal filed against the assessment year

1988-89 has been dismissed.

2. Considering the order of this Court in ITXA No.682 OF 2003, in our opinion, for similar reasons all the appeals do not give any rise to any substantial question and hence the appeals along with the Notice of Motions are dismissed.

(F.I.REBELL0, J.)

(J.P.DEVADHAR, J.)